

Message Text

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PAGE 01 MANILA 10806 230227Z

11
ACTION EA-09

INFO OCT-01 ISO-00 PM-04 NSC-05 SP-02 SS-15 CIAE-00 INR-07

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R 230051Z JUL 76
FM AMEMBASSY MANILA
TO SECSTATE WASHDC 7847
INFO SECDEF
JCS
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CINCPACREPPHIL SUBIC
CG13TH AF CLARK AB

C O N F I D E N T I A L MANILA 10806

FROM USDEL 0148

CINCPAC ALSO FOR POLAD

E.O. 11652: GDS
TAGS: MARR, RP
SUBJECT: PHILIPPINE BASE NEGOTIATIONS: ASYLUM AND REFUGE

1. IN FURTHER DISCUSSION OF ASYLUM AND REFUGE PROPOSALS, GOP CONCERNS ABOUT DEFINITIONAL PROBLEMS WERE RESOLVED BY DELETING BOTH TERMS. USDEL OBJECTION TO OVERLY EXPANSIVE ASPECTS OF GOP PROPOSAL RESULTED IN REFORMULATING WORKING APERS TO ELIMINATE REFERENCES TO "ANY OTHER COUNTRY" AND IMPLIATIONS OF CONTROL OVER US AIRCRAFT AND VESSELS OUTSIDE PHIL TERRITORY. AFTER EXTENDED ATTEMPTS TO SELL US PROPOSAL LIMITED TO FACILITIES, WE HAVE CONCLUDED GOP DEMAND TO PRECLUDE DEPARTURES VIA US VESSELS AND AIRCRAFT IS FIRM. ACCORDINGLY WE HAVE AGREED, AD REFERENDUM, TO WORKING GROUP DRAFT LIMITING EFFECT ON US VESSELS AND AIRCRAFT TO THOSE WITHIN PHILIPPINE TERRITORY. AT PRESENT WE HAVE NOT AGREED WHERE THE
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PAGE 02 MANILA 10806 230227Z

PARAGRAPH SHOULD BE PLACED IN THE AGREEMENT.

2. TEXT OF AGREED WORKING PAPER FOLLOWS: SHOULD ANY PERSON SEEKING TO EVADE THE JURISDICTION OF THE PHILIPPINES BE FOUND IN ANY FACILITY WITHIN PHILIPPINE MILITARY BASES WHICH HAVE BEEN DESIGNATED FOR U.S. USE, OR IN A VESSEL OR AIRCRAFT OF THE U.S. WITHIN THE TERRITORY OF THE PHILIPPINES, HE SHALL BE SURRENDERED FORTHWITH TO THE PHILIPPINE BASE COMMANDER OR COMPETENT PHILIPPINE AUTHORITY. THE U.S. SHALL ALSO NOT ALLOW THE USE OF ANY OF ITS VESSELS OR AIRCRAFT WITHIN THE TERRITORY OF THE PHILIPPINES AS A MEANS FOR SUCH PERSON TO EVADE THE JURISDICTION OF THE PHILIPPINES.

3. ACTION REQUESTED. WASHINGTON APPROVAL OF WORKING PAPER ON ASYLUM.
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NNN

Message Attributes

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Decaption Date: 01 JAN 1960
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Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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